

AMENDMENTS TO THE DRAWINGS

The attached "Replacement Sheet" of drawings includes changes to Figure 22. The attached "Replacement Sheet," which includes Figure 22, replaces the original sheet including Figure 22.

Attachment: Replacement Sheet

REMARKS

Claims 1-27 are now pending in the application. No new claims have been added or cancelled by this amendment. Minor amendments have been made to the specification and to claims 1-4, 6, 7, and 18. Support for the foregoing amendment can be found throughout the specification, drawings, and claims as originally filed. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

DRAWINGS

The drawings stand objected to for certain informalities. Applicant has attached revised drawings for the Examiner's approval. In the "Replacement Sheet," elements 23 and 26 of Figure 22 have been corrected to read "Frame." Appropriate correction having been made, Applicant requests the objection be withdrawn.

SPECIFICATION

Applicant has amended pages 11 and 30 of the specification to correct certain informalities.

REJECTION UNDER 35 U.S.C. § 112

Claims 1-27 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

With regard to claim 5, applicant disagrees that “lowest” is an indefinite term. Amongst multiple channels, one can easily identify the channel having the lowest transmission rate. In this context, lowest particularly identifies one of the channels and thus is not indefinite. Remaining rejected claims have been amended to address the Examiner’s concerns. Therefore, reconsideration and withdraw of these rejections is requested.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-3, 4 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0181492 (“Kasami”). This rejection is respectfully traversed.

Kasami relates generally to a wireless communication apparatus. The apparatus includes an access point 1 that communicates simultaneously with multiple stations 4-1; 4-2 and 4-3 using an adaptive array antenna 2. However, it is noted that only a single channel (i.e., beam) is used to send data packets from the access point to a given station. Thus, Kasami fails to teach or suggest transmitting multiple data packets simultaneously from one station to another station.

Applicant’s invention also relates to a wireless communication method. However, applicant’s claimed invention is characterized by transmitting multiple data packets simultaneously from one station to another station using multiple radio channels. As noted above, this aspect of the present invention is not disclosed by Kasami. In addition, Claims 1-3, 4 and 6 have been amended to clarify this distinction

with the relied upon reference. Therefore, it is respectfully submitted that Applicant's claimed invention defines patentable subject matter over Kasami.

Claims 18-25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2003/0139196 ("Medvedev"). This rejection is respectfully traversed.

Medvedev relates to techniques for reallocating excess power in a multi-channel communication system. The Examiner acknowledges that Medvedev is deficient in multiple respects in relation to claim 18. On this basis alone, applicant believes that the rejection of this claim cannot be maintained only in view of this reference. In addition, applicant notes that the present invention is concerned with transmitting a given data frame redundantly and simultaneously using multiple radio channels. In contrast, Medvedev does not teach or suggest transmitting the same data redundantly and simultaneously over multiple radio channels as recited in claim 18. Therefore, it is respectfully submitted that claim 18 defines patentable subject matter over Medvedev. Accordingly, applicant requests reconsideration and withdraw of these rejections.

ALLOWABLE SUBJECT MATTER

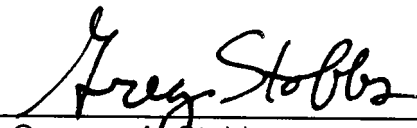
The Examiner states that claims 10-12 and 14-16 are objected to as being dependent upon the rejected base claim 4 but would be allowable if rewritten in independent form. Applicant elects to defer this course of action until the Examiner has considered the arguments set forth herein.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: December 15, 2008

By: 
Gregory A. Stobbs
Reg. No. 28,764

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

GAS/TDM/dec